

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PINES BACH, LLP,

Plaintiff,

v.

OPINION and ORDER

MICHAEL A. MILLS,

22-cv-66-jdp

Defendant.

Defendant Michael Mills has moved to stay this case while his attorney, Steffan Keeton, recovers from a serious illness. Dkt. 23 and Dkt. 24. Following a telephonic status conference with the parties, Keeton submitted a letter explaining his condition and stating that he expects to be able to resume work on this case on January 17, 2023. Dkt. 25. The court proposed a revised case schedule and asked Pines Bach to respond to Keeton's letter. Dkt. 26. Pines Bach has now done that and agrees that an adjustment to the case schedule is warranted. Dkt. 30. The court will therefore grant Mills's motion, with two conditions.

First, Pines Bach is correct that the court will expect Mills to proceed with this action on January 17, 2023, whether Keeton is able to resume active representation or not. If Keeton is unable to resume work on this case, then Mills should be prepared to go forward with a new attorney. Mills should therefore remain in regular contact with Keeton, and if Keeton's recovery is not progressing as expected, Mills will need to get new counsel.

Second, Pines Bach requests that the court permit Pines Bach to file a motion to strike Mills's proponent expert designation while the stay is in effect. The court will allow Pines Bach to file such a motion during the stay. However, the court will not set a briefing schedule that

would require Mills to respond before the stay is lifted and will consider Keeton's illness when deciding whether to grant the motion.

Pines Bach's letter also requested that the court set a deadline for Mills to respond to certain outstanding discovery requests. Mills's responses to the outstanding requests will be due on January 31, 2023.

ORDER

IT IS ORDERED that:

1. Defendant's motion to stay the case, Dkt. 23, is GRANTED.
2. This stay shall remain in effect until January 17, 2023.
3. Plaintiff may file a motion to strike defendant's proponent expert designation while the stay is in effect.
4. The new deadlines shall be as follows:
 - a. Defendant's responses to Plaintiff's outstanding discovery requests due January 31, 2023;
 - b. Responsive expert reports due February 21, 2023;
 - c. Rebuttal expert reports due March 23, 2023;
 - d. Dispositive motions due April 20, 2023.
5. The trial date and all other trial-related deadlines are STRUCK.

Entered October 27, 2022.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge